IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 8317 of 2007(M)

PETITIONER:

C.M.BINDU,W/O.RAJEEVAN,AGED 30 YEARS,
(FORMER HIGH SCHOOL ASSISTANT (PHYSICAL SCIENCE)
MATTANNUR HIGHER SECONDARY SCHOOL,RESIDING AT
LAKSHMI NIVAS,KAYALOOR,CHAVASSERY,KANNUR DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS
PRINCIPAL SECRETARY TO GOVERNMENT GENERAL
EDUCATION DEPARTMENT,SECRETARIAT ANEX,TRIVANDRUM/

2. THE DEPUTY DIRECTOR OF EDUCATION,
KANNUR. P.O KANNUR-2.

3. THE DISTRICT EDUCATIONAL OFFICER,
TELLICHERRY P.O, TELLICHERRY,KANNUR DISTRICT.

4. PROF.T.V.K.KURUP,MANAGER,MATTANNUR
HIGHER SECONDARY SCHOOL,MATTANNUR,KANNUR DISTRICT.

5. SRI.C.SUJITH KUMAR,UPPER PRIMAY SCHOOL
ASSISTANT,MATTANNUR HIGHER SECONDARY SCHOOL
P.O MATTANNUR,KANNUR DISTRICT.

BY ADV. SRI.K.RAMAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.P.(C) NO.32819/2006.

EXT.P2. COPY OF THE ORDER NO. B4-9718/2006/K.DIS. OF THE DIST. EDL. OFFICER

EXT.P3. COPY OF THE PETITION FILED BEFORE THE MANAGER

EXT.P4. COPY OF THE REPLY OF THE MANAGER

EXT.P5. COPY OF THEPETITION FILED BEFORE THE DY. DIRECTOR OF EDUCATION

EXT.P6. COPY OF THE PETITION FILED BY THE MANAGER

RESPONDENT'S EXHIBITS:

EXT.R5(a). COPY OF APPEAL DT. 15.2.07 SUBMITTED BY R4

EXT.R5(b). COPY OF APPEAL DT. 26.2.07 SUBMITTED BY R5

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 8317 OF 2007

Dated this the 29th day of May, 2007

J U D G M E N T

Petitioner is a Rule 51-A claimant. Though she got the above statutory benefit confirmed by the Department in her favour in Ext.P2 order, it is now on record that the Manager and his appointee have preferred Ext.R5(a) and R5(b) appeals before the 2nd respondent challenging the said order. Learned counsel for the petitioner submits that an appropriate direction may be issued to respondent No.2 to dispose of the appeals expeditiously with opportunity to the petitioner to be heard.

In the above facts and circumstances of the case, the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.R5(a) & R5(b) appeals, which are stated to have been preferred by respondents 4 & 5 respectively, strictly on their merit and in accordance with law as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. Respondent No.2 shall ensure that the petitioner as well as respondents 4 & 5 are afforded sufficient opportunity to be heard before any decision is taken in the matter.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007